IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

WP(C).No. 7694 of 2007(N)

PETITIONER:

BABY ALEX, AGED 40,
S/O.JOSEPH ALEXANDER, MENAMPARAMPIL,
VELLIYAPALLY P.O., PALA.

BY ADV. SRI.JOSE JOSEPH (MANNAR)

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF CO-OPERATIVES, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SPECIAL SALE OFFICER, MEENACHIL CO-OPERATIVE AGRICULURAL AND RURAL DEVELOPMENT BANK LTD. NO.K.197, PALA.

3. MEENACHIL CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.K.197, REPRESENTED BY THE SECRETARY, PALA.

BY ADV. SRI.SUNIL CYRIAC,SC,MEENACHIL CO-OP.ARD
BY GOVT.PLEADER SRI. P.S.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) No. 7694/2007 APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True photocopy of the sale notice issued by the 2nd respondent in Mangalam daily dated 01-03-2007.

//True copy//

S.SIRI JAGAN .J

W.P (C) No 7694 of 2007

Dated this the 9th day of March 2007

JUDGMENT

On 7-3-2007 when this matter came up for admission I ordered notice by speed post and also passed an order of interim stay on condition that the petitioner pays an amount of Rs. 75,000/- within two weeks . But before I signed that interim order the learned counsel for the respondents submitted that for the same relief as in this writ petition, the petitioner had earlier filed a similar writ petition and obtained an order permitting the petitioner to pay the loan amount in ten monthly instalments. The counsel also submitted that the petitioner has filed this writ petition without complying with the directions in that judgment. In view of the above submission I posted the above case for to be spoken to on 8-3-2007. On that day the counsel for the petitioner was not present apparently because of the hartal. Today the counsel for the petitioner appears. He does not dispute the fact that the petitioner had in fact earlier filed a writ petition for identical reliefs and obtained some favourable orders at the directions in

which the petitioner had not complied with. The petitioner has not mentioned the fact that he had earlier filed a writ petition for similar reliefs, in this writ petition. In the above circumstances I am not inclined to admit this writ petition and accordingly the writ petition is dismissed.

S.SIRI JAGAN .JUDGE

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